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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: G.I. Negueloua

DATE: December 16, 2004

SERIAL NO.: 09/784,693

GROUP ART UNIT: 3671

FILED: February 15, 2001

EXAMINER: Hartmann, Gary S.

FOR: "Improved Cap Sealer for Caulked Joints"

ATTORNEY DOCKET NO.: A00360US (98448.2)

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**DECLARATION**

My name is Gerald I. Negueloua, and I am the named inventor in the above referenced patent application. I have been intimately involved in the business of masonry products since 1997.

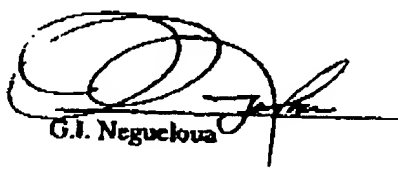
During my business operations, I have inspected many sites where sealed joints were installed, and noted problems in the device which was utilized and configured according to the Marble patent no. 2,016,968.

The problem confronted was a separation from the stone at the outer edges of the Marble cap. What was causing this was a concave design of the underside of the cap in allowing moisture to build up between the cap and the stone. As this moisture froze it expanded, raising the outer edges of the cap. As this process continued over time, along with building movement, the cap was no longer in contact with the stone.

I knew that was a problem which needed to be solved, therefore my solution was to flatten the cap, to eliminate the concave portion, as shown in Figure 2 of the Marble patent. I then added ridges along the entire underside of the cap to form channels, which increased the area to which sealant could bind to the stone. By making these modifications in the Marble product, the product was greatly improved, and the problems which were confronted by my business with the use of the Marble product were eliminated.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

12-20-04  
Date

  
G.I. Negueloua

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